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Notice of Appeal From The Primary Examiner To the Board of Appeals

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In re application of: HORI, et al

Serial No.: 09/544,632

For: LIPID METABOLISM IMPROVING AGENT

Filed: September 30, 1999

Group Art Unit: 1615

Assistant Commissioner for Patents
Washington, DC 20231

December 2, 2002

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated May 30, 2002, of the Primary Examiner with respect to all the finally rejected claims, e.g., claims 18, and 35-43.

The item(s) checked below are appropriate:

1. Applicants request that the time for taking action in this case be extended pursuant to 37 C.F.R. '1.136(a).
 Included in the attached credit card payment form is the statutory fee of \$ 920.00 for an extension of time of three months.
 If the box for the sentence immediately above is marked but no check is attached, then charge the statutory fee recited in such sentence for an extension of time of the number of months recited in such sentence to Deposit Account No. 01-2135. Two copies of this sheet are attached for this purpose.
 Charge the Statutory Fee of \$ _____ for an extension of time of _____ month(s) to Deposit Account No. 01-2135, two copies of this sheet are being attached for this purpose.
2. A timely response to the final rejection is filed herewith.
3. Amended claims presented in the response filed on _____ have been approved for entry. Accordingly, the appealed claims are claims _____.
4. Fee \$ 320.00
 The amount of \$320.00 is included in the attached credit card payment form.
 Not required (fee paid in prior appeal).
 Please charge my Deposit Account No. 01-2135 in the amount of \$ _____, 2 copies of this sheet are attached.

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Charge any deficiencies in the payment of fees associated with this communication or credit any overpayment to Deposit Account No. 01-2135.

Small Entity Status Claimed under 37 C.F.R. '1.9 and 37 C.F.R. '1.27.
Statement(s): Attached Previously filed


Ralph T Webb
Reg. No. 33,047

Post Office Address (to which correspondence is to be sent).

Atty's Docket: 506.35379CC2

Filed: December 2, 2002

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